

LAVIN, COLEMAN, O'NEIL, RICCI, FINARELLI & GRAY  
BY: Edward T. Finch, Esquire  
Identification No. 83692  
510 Walnut Street, Suite 1000  
Philadelphia, PA 19106  
(215) 627-0303

ALEXANDER JOHNSON and ADEL JOHNSON,  
Husband and Wife

COURT OF COMMON PLEAS  
BUCKS COUNTY

V.

NO. 02-90046-18-2

PNEUMO ABEX CORPORATION, as successor in  
interest to Abex Corporation, ET AL.

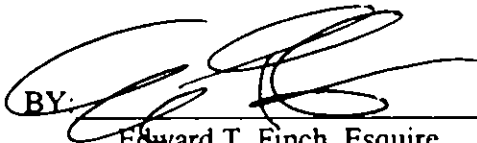
**PRAECIPE TO FILE NOTICE OF REMOVAL**

**TO THE PROTHONOTARY:**

Kindly file the attached Notice of Removal in the above-captioned matter.

Respectfully submitted,

LAVIN, COLEMAN, O'NEIL, RICCI,  
FINARELLI & GRAY

BY:   
Edward T. Finch, Esquire  
Attorney for Defendants,  
Ford Motor Company and  
General Motors Corporation

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

ALEXANDER JOHNSON and ADEL JOHNSON,  
Husband and Wife

CASE NO. 02-cv-2973

V.

FORD MOTOR COMPANY  
GENERAL MOTORS CORPORATION  
FEDERAL-MOGUL GLOBAL, INC.

---

**NOTICE OF REMOVAL**

Defendants Ford Motor Company and General Motors Corporation (the "automobile manufacturers") hereby give notice of the removal to the United States District Court for the Eastern District of Pennsylvania of the claims which have been asserted against them in the action captioned Alexander Johnson and Adel Johnson, Husband and Wife v. Pneumo Abex Corporation, as successor in interest to Abex Corporation, et al. now pending in the Court of Common Pleas of Bucks County, at No. 02-90046-18-2. This Notice of Removal is filed pursuant to 28 U.S.C. § 1452(a), and as grounds for removal the automobile manufacturers state the following:

1. The action of which the removed claims are a part was commenced in the Court of Common Pleas of Bucks County.
2. The removed claims are those for personal injury or wrongful death asserted against the automobile manufacturers on the basis of alleged exposure to certain of their asbestos-containing products, including brakes and other automotive parts, manufactured for the automobile manufacturers by Federal-Mogul Global, Inc., or companies that it purchased, one or more of which is a co-defendant of the automobile manufacturers.

3. On October 1, 2001 Federal-Mogul Global, Inc. filed a voluntary petition for protection under Chapter 11 of the United States Bankruptcy Code, commencing bankruptcy case number 01-10578 (the "Federal-Mogul Bankruptcy Case") currently pending in the United States Bankruptcy Court for the District of Delaware.

4. The removed claims may be removed to this Court pursuant to 28 U.S.C. § 1452(a): (i) the removed claims are asserted in a civil action not exempt from removal; and (ii) the Court has jurisdiction of the removed claims under 28 U.S.C. § 1334. All claims asserted against the Removing Defendants are related to the Federal-Mogul Bankruptcy Case, and the continued prosecution, outcome at trial or other resolution of the claims will have an effect on the administration of the Federal-Mogul Bankruptcy Case.

5. Removal to this Court is timely pursuant to Federal Rule of Bankruptcy Procedure 9027(a)(3) in that the Federal-Mogul Bankruptcy Case was pending when the removed claims were asserted on or after October 1, 2001 and in that this notice has been filed within 30 days of receipt by one or all of the automobile manufacturers of a copy of the initial pleading setting forth the removed claims.

6. Upon removal, the proceedings with respect to the removed claims are non-core. The automobile manufacturers do not consent to entry of a final order or judgment by the bankruptcy judge to the extent the bankruptcy court is authorized to hear or determine such claims consistent with 28 U.S.C. § 157(b)(5).

7. The purpose of removal is to facilitate transfer of the removed claims to the United States District Court for the District of Delaware, the district court presiding over the Federal-Mogul Bankruptcy Case, to resolve on a consolidated basis the common threshold scientific issues

concerning whether brakes and other automotive parts cause disease. *See, e.g., In re Dow Corning Corp.*, 1995 W.L. 495978, at \*2 (Bankr. E.D. Mich. Aug. 9, 1995) (personal injury tort claims transferred to bankruptcy court pursuant to 28 U.S.C. § 157(b)(5) to resolve threshold scientific issues concerning whether silicone breast implants caused disease after removal to federal court pursuant to 28 U.S.C. § 1452(a)).

8. On November 20, 2001, the automobile manufacturers filed in the Federal-Mogul Bankruptcy Case a motion pursuant to 28 U.S.C. § 157(b)(5) to transfer this and all other claims related to brakes and automotive parts for consolidated resolution of the threshold scientific issues concerning whether brakes and other automotive parts cause disease.

9. On December 10, 2001 the Honorable Alfred M. Wolin issued the attached Order provisionally transferring pursuant to 28 U.S.C. § 157(b)(5) the claims asserted against the automobile manufacturers to the United States District Court for the District of Delaware.

10. On January 3, 2002, Judge Wolin issued a letter opinion and order reiterating that all asbestos friction claims against the automobile manufacturers pending in federal courts as of December 10 had been transferred, and ordering any claims removed after December 10 transferred as well. A copy of the Order and Opinion are attached to this Notice.

11. On February 8, 2002, the Honorable Alfred M. Wolin denied the "Motions to Transfer the 'Friction Claims'" and simultaneously remanded the friction products claims. Attached hereto is a copy of said Order.

12. However, on February 11, 2002, the United States Court of Appeals for the Third Circuit granted a Temporary Stay of Judge Wolin's February 8, 2002 Court Order so that the matter could be considered by a three-judge panel of that court. Attached hereto is a copy of said Order.

13. The Removing Defendants file this Notice of Removal to adequately protect the interests of Removing Defendants and to facilitate transfer of these claims to the United States District Court for the District of Delaware pursuant to Judge Wolin's provisional transfer order.

14. The automobile manufacturers will comply with 28 U.S.C. § 1446(d) by promptly giving notice of the filing of this Notice of Removal to all adverse parties to the action pending in the state court and filing a copy of this Notice of Removal with the prothonotary of the Court of Common Pleas of Bucks County.

Respectfully submitted,

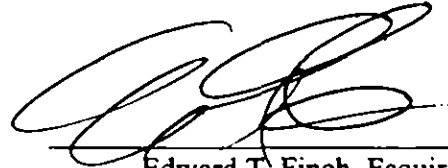
LAVIN, COLEMAN, O'NEIL, RICCI,  
FINARELLI & GRAY

BY: 

Edward T. Finch, Esquire  
Attorney for Defendants,  
Ford Motor Company and  
General Motors Corporation

**CERTIFICATE OF SERVICE**

I, Edward T. Finch, Esquire, hereby certify that pursuant to 28 U.S.C. § 1446(d) written notice of the removal of this action will be promptly given to all adverse parties and a copy of the Notice of Removal will be filed with the Court of Common Pleas.

A handwritten signature in black ink, appearing to be 'E. Finch', is written over a horizontal line.

Edward T. Finch, Esquire

FOR THE  
the case

Addr

**Defendants (Names and Addresses):**

Ford Motor Company  
Parklane Towers West  
Suite 1500  
Three Parklane Boulevard  
Dearborn, MI 48126-2568

General Motors Corporation  
400 Renaissance Center  
P.O. Box 400  
Detroit, MI 48265-4000

Federal-Mogul Global, Inc., individually and/or as parent company, successor in interest, or indemnitor to or of:

Fel-Pro, Inc.,

Ferodo America, Inc.,

Gasket Holdings, Inc., formerly known as Flexitallic Gasket Company,

Moog Automotive Inc., formerly known as Wagner Electric Corporation,

Pneumo Abex Corp., or

T&N plc.

2655 Northwestern Highway  
Southfield, MI 48034

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CASE MANAGEMENT TRACK DESIGNATION FORM

ALEXANDER JOHNSON and ADEL JOHNSON,  
Husband and Wife

CASE NO.

V.

FORD MOTOR COMPANY  
GENERAL MOTORS CORPORATION  
FEDERAL-MOGUL GLOBAL, INC.

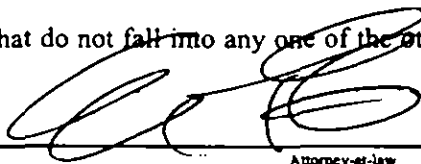
In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See §1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus – Cases brought under 28 U.S.C. §2441 through §2255. ( )
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 8. ( )
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. (X)
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ( )

May 17, 2002

(Date)



Attorney-at-law

Edward T. Finch, Esquire

Attorney For

Ford Motor Company and General Motors Corporation

(Civ. 660)  
12/91



JS44

(Rev. 12/96)

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I (a) PLAINTIFFS**

Alexander Johnson and Adel Johnson, Husband and Wife

**DEFENDANTS**

SEE ATTACHED

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF  
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT  
OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
Lawrence R. Cohan, Esquire  
Anapol, Schwartz, Weiss, Cohan, Feldman & Smalley  
1900 Delancey Place  
Philadelphia, PA 19103  
(215) 790-4567

ATTORNEYS (IF KNOWN)  
Lavin, Coleman, O'Neil, Ricci, Finarelli & Gray  
Penn Mutual Tower  
510 Walnut Street - Suite 1000  
Philadelphia, PA 19106  
(215) 627-0303

**II. BASIS OF JURISDICTION** (PLACE AN x IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff  
☐ 2 U.S. Government Defendant  
☒ 3 Federal Question (U.S. Government Not a Party)  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES**

(For Diversity Cases Only)

(PLACE AN x IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

**IV. CAUSE OF ACTION** (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)

DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.

Action for personal injury for asbestos exposure against Federal-Mogul Global, Inc., or companies it purchased and removing defendants, removed pursuant to 28 U.S.C. § 1452(a).

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans's Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input checked="" type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC §§1 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 442 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1398) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations Act <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions

**VI. ORIGIN**

☐ 1 Original Proceeding  
☒ 2 Removed from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Reopened

Transferred from  
☐ 5 another district (specify)

☐ 6 Multidistrict Litigation

Appeal to District  
☐ 7 Judge from Magistrate Judgment

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A  
☐ UNDER F.R.C.P. 23

**CLASS ACTION****DEMAND \$**

In Excess of \$50,000.00

Check YES only if demanded in complaint:

**JURY DEMAND** ☒ YES ☐ NO**VIII. RELATED CASE(S)** (See instructions):  
IF ANY

JUDGE

DOCKET NUMBER 01-CV-5981

DATE

SIGNATURE OF ATTORNEY OF RECORD

May 17, 2002

Edward T. Finch, Esquire

RECEIPT# \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

**Defendants (Names and Addresses):**

Ford Motor Company  
Parklane Towers West  
Suite 1500  
Three Parklane Boulevard  
Dearborn, MI 48126-2568

General Motors Corporation  
400 Renaissance Center  
P.O. Box 400  
Detroit, MI 48265-4000

Federal-Mogul Global, Inc., individually and/or as parent company, successor in interest, or indemnitor to or of:

Fel-Pro, Inc.,

Ferodo America, Inc.,

Gasket Holdings, Inc., formerly known as Flexitallic Gasket Company,

Moog Automotive Inc., formerly known as Wagner Electric Corporation,

Pneumo Abex Corp., or

T&N plc.

2655 Northwestern Highway  
Southfield, MI 48034

COPY

ANAPOL, SCHWARTZ, WEISS, COHAN, FELDMAN & SMALLEY

BY: LAWRENCE R. COHAN, ESQUIRE  
THOMAS R. ANAPOL, ESQUIRE  
MIRIAM B. BARISH, ESQUIRE  
HEATHER J. LIPSON, ESQUIRE  
MARGARET A. BARRY, ESQUIRE

I.D. NOS.: 30546; 62121; 72622; 80914; 44056  
1900 Delancey Place  
Philadelphia, PA 19103  
(215) 790-4567

ALEXANDER JOHNSON and ADEL JOHNSON,  
Husband and Wife  
128 E. 13th Street  
Chester, Pennsylvania 19013

vs.

485 PNEUMO ABEX CORPORATION, as  
successor in interest to Abex Corporation, et al

COURT OF COMMON PLEAS  
BUCKS COUNTY, PA

ASBESTOS CASE

JURY TRIAL DEMANDED

NO. 62-90046-18-2

COMPLAINT

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted compla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted. LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELÉFONO A LA OFICINA CUYA DIRECCIÓN SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE

BUCKS COUNTY ASSOCIATION  
135 E. State Street  
Doylestown, PA 18901  
(215) 348-9413

15:21 PM 11 MAY 2002

RECEIVED  
JULY 11 2002  
CLERK OF COURT

**DEFENDANTS ADDRESSES**

Pneumo Abex Corporation  
c/o Prentice Hall Corporation  
2704 Commerce Drive, Suite B  
Harrisburg, PA 17110  
(DAUPHIN COUNTY)

A.C. & S. Inc.  
P.O. Box 1548  
120 N. Lime Street  
Lancaster, PA 17602  
(LANCASTER COUNTY)

A.O. Smith Corporation  
11270 West Park Place  
Milwaukee, WI 53224

A.W. Chesterton, Inc.  
Route 93, Middlesex  
Stoneham, MA 02180

Allied Signal, Inc.  
P.O. Box 2245 R  
Morristown, New Jersey 07960

Brand Insulations, Inc.  
c/o Kevin O'Hagan, Esquire  
Smith & Amunbsen  
150 North Michigan Avenue, Suite 3300  
Chicago, Illinois 60601

Burnham Boiler Corporation  
c/o C.T. Corporation Systems  
1515 Market Street  
Philadelphia, PA 19102  
(PHILADELPHIA COUNTY)

Cleaver Brooks Company  
c/o C.T. Corporation Systems  
1515 Market Street  
Philadelphia, PA 19102  
(PHILADELPHIA COUNTY)

Combustion Engineering Co., Inc.  
c/o Christine L. Astin, Claims Analyst  
CVCSC, Inc.  
525 Brook Street  
Rocky Hill, CT 06067-0950

Crown, Cork & Seal Company  
One Crown Way  
Philadelphia, PA 19154  
(PHILADELPHIA COUNTY)

Dana Corporation  
P.O. Box 1000  
Toledo, Ohio 43697-1000

Drever Furnaces  
Red Lion Road and Philmont Avenue  
Huntingdon Valley, PA 19006  
(MONTGOMERY COUNTY)

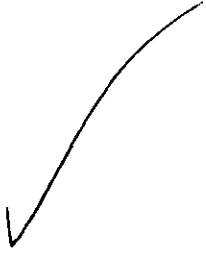
Durabla Manufacturing Company  
P.O. Box 700  
140 Sheree Boulevard  
Exton, PA 19341  
(CHESTER COUNTY)

Ford Motor Company  
c/o John Rintamaki  
1037 The American Road  
Dearborn, Michigan 48121

Foster Wheeler Corporation  
Perryville Corporate Park  
Clinton, New Jersey 08809

Garlock, Inc.  
1 Marine Midland Plaza  
Suite 1830  
Rochester, New York 14604-2415

General Motors Corporation  
c/o C.T. Corporation Systems  
1515 Market Street  
Philadelphia, PA 19102  
(PHILADELPHIA, COUNTY)



General Refractories  
225 City Line Avenue  
Bala Cynwyd, PA 19004  
(MONTGOMERY COUNTY)

Georgia-Pacific Corporation  
c/o C.T. Corporation Systems  
1515 Market Street Philadelphia, PA 19102  
(PHILADELPHIA COUNTY)

Honeywell International, Inc.  
P.O. Box 4000  
Morristown, New Jersey 07962

Hopeman Brothers, Inc.  
435 Essex Avenue  
Waynesboro, Virginia 22980

IMO Industries, Inc.  
997 Lenox Drive, Suite 111  
Building Four West  
Lawrenceville, New Jersey 08648

Owens-Illinois, Inc.  
One Sea Gate  
Toledo, Ohio 43666

Palmetto Products  
c/o Green Tweed & Company  
Detwiler Road  
Kulpville, PA 19443  
(MONTGOMERY COUNTY)

Peerless Industries, Inc.  
231 North Walnut Street  
Boyertown, PA 19512  
(BERKS COUNTY)

Pfizer, Inc.  
235 East 42nd Street  
New York, New York 10017

Rapid American Corporation  
c/o Prentice Hall  
2711 Centerville Road, Suite 400  
Wilmington, Delaware 19808-1654

Riley Stoker Corporation  
Box 2040  
Worcester, MA 01606

Uniroyal, Inc.  
70 Great Hill Road  
Naugatuck, CT 06770

Magnetek, Inc.  
26 Century Boulevard, Suite 600  
Nashville, TN 37214-4602

Metropolitan Life Insurance Company  
1 Madison Avenue  
New York, New York 10010

ANAPOL, SCHWARTZ, WEISS, COHAN, FELDMAN & SMALLEY

BY: LAWRENCE R. COHAN, ESQUIRE

THOMAS R. ANAPOL, ESQUIRE

MIRIAM B. BARISH, ESQUIRE

HEATHER J. LIPSON, ESQUIRE

MARGARET A. BARRY, ESQUIRE

I.D. NOS.: 30546; 62121; 72622; 80914; 44056

1900 Delancey Place

Philadelphia, PA 19103

(215) 790-4567

ALEXANDER JOHNSON and ADEL JOHNSON,  
Husband and Wife  
128 E. 13th Street  
Chester, Pennsylvania 19013

COURT OF COMMON PLEAS  
BUCKS COUNTY, PA

ASBESTOS CASE

vs.

JURY TRIAL DEMANDED

485 PNEUMO ABEX CORPORATION, as  
successor in interest to Abex Corporation;  
414 A.C. & S., INC.;  
A.O. SMITH CORPORATION;  
29 A.W. CHESTERTON, INC.;  
242 ALLIED SIGNAL, INC.;  
41 BRAND INSULATIONS, INC.;  
BURNHAM BOILER CORPORATION;  
CLEAVER BROOKS CO., a division of  
Aqua-Chem, Inc.;  
68 COMBUSTION ENGINEERING CO., INC.;  
72 CROWN, CORK & SEAL CO., INC.;  
76 DANA CORPORATION;  
DREVER FURNACES;  
86 DURABLA MANUFACTURING CO.;  
245 FORD MOTOR COMPANY;  
105 FOSTER WHEELER CORPORATION;  
108 GARLOCK, INC.;  
110 GENERAL MOTORS CORPORATION;  
111 GENERAL REFRACTORIES;  
116 GEORGIA PACIFIC CORPORATION;  
HONEYWELL INTERNATIONAL, INC.,  
successor-in-interest to Allied Signal, Inc.;  
127 HOPEMAN BROTHERS, INC.;  
478 IMO INDUSTRIES, INC., as successor in  
interest to and f/k/a DeLaval Turbine,  
Transamerica DeLaval and Imo DeLaval;  
171 OWENS ILLINOIS, INC.;  
PALMETTO PRODUCTS, a division of  
Green Tweed & Co.;  
175 PEERLESS INDUSTRIES, INC.;  
180 PFIZER, INC.;  
424 RAPID AMERICAN CORPORATION;  
UNILEVER SCIENTIFIC CORPORATION;  
220 UNIROYAL, INC.;  
226 MAGNETEK, INC.;  
481 METROPOLITAN LIFE INSURANCE CO.

NO.



COMPLAINT

Pursuant to an Order dated February 3, 1989, signed by the Honorable Issac S. Garb, President Judge, the following Short Form Complaint is utilized in this asbestos action. Plaintiffs hereby incorporate the Amended Master Long Form Complaint as fully as if that document was set forth at length herein including, but not limited to:

- Count I - (Negligence and Outrageous Conduct)
- Count II - (Strict Liability)
- Count III - (Conspiracy)
- Count IV - (Breach of Warranty)
- Count V - (Damages)
- Count VI - (Loss of Consortium)

1. The Plaintiffs in the instant matter are:

- a. Alexander Johnson (Plaintiff-worker)  
128 E. 13th Street  
Chester, Pennsylvania 19013

Social Security No. 182-20-7807  
Date of Birth: December 28, 1926

- b. Adel Johnson (Wife-plaintiff)  
(Same address as Plaintiff-worker)

2. The Defendants in the instant matter are those listed in the above caption.

3. The Defendants in the instant matter are those listed in the above captioned.

In addition, Plaintiff has named Defendant, RAPID AMERICAN CORPORATION, which was not named in Plaintiffs' Master General Long Form Complaint, No. 89-90000-11-2.

Defendant, RAPID AMERICAN CORPORATION, as successor in interest to Philip Carey Corporation, is a corporation whose registered agent address for process of

serving is, Prentice Hall, 2711 Centerville Road, Wilmington, Delaware 19808, which is doing business in the Commonwealth of Pennsylvania. At all times material hereto, Defendant, RAPID AMERICAN, manufactured, produced and sold, either directly and indirectly, in the geographical area in which Plaintiff worked, and/or to employers of the Plaintiff and/or to contractors on job sites on which Plaintiff worked, asbestos products, including but not limited to asbestos block, pipe covering and insulation materials.

4. The Defendants in the instant matter are those listed in the above captioned. In addition, Plaintiff has named Defendant, METROPOLITAN LIFE INSURANCE COMPANY, which was not named in Plaintiffs' Master General Long Form Complaint, No. 89-90000-11-2.

Defendant, METROPOLITAN LIFE INSURANCE COMPANY, is an insurance company organized and existing under the laws of the State of New York, has its principal place of business in the State of New York and at all times material hereto was doing business in the Commonwealth of Pennsylvania. It is sued for its conduct and omissions as a consultant to certain defendants.

5. Plaintiff-worker's asbestos exposure history, including to the extent possible at this time, the asbestos manufacturers and products to which Plaintiff-worker was exposed; and the inclusive dates of exposure and job site(s) is attached hereto as Exhibit I.

6. Plaintiff-worker first learned of his asbestos-related disease, asbestosis on or about July 3, 2000 from Dr. Roy Levinson. Plaintiff-worker first became aware of his asbestos-related disease only after the diagnosis date.

7. Plaintiff-worker's history of tobacco use is as follows:

Plaintiff does not smoke cigarettes or use tobacco products.

8. A claim for lost wages is not asserted at this time, but may become viable in the future.

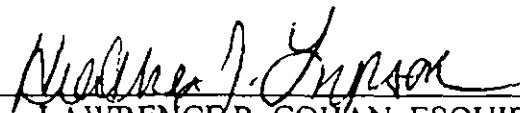
9. The following persons are dependent upon Plaintiff-worker for support:

a. Adel Johnson

10. Plaintiffs hereby certify through their undersigned counsel that they have brought no other claim in a court of law for their asbestos caused injuries.

WHEREFORE, Plaintiffs, Alexander Johnson and Adel Johnson, pray for judgment against the defendants and each of them individually, jointly and/or severally on each of the above Counts, for compensatory damages in an amount in excess of FIFTY-THOUSAND DOLLARS (\$50,000.00) and (except on Count IV), punitive damages in a sum in excess of FIFTY-THOUSAND DOLLARS (\$50,000.00) plus costs of suit and such other and further relief as is just and proper.

ANAPOL, SCHWARTZ, WEISS, COHAN  
FELDMAN & SMALLEY

BY   
LAWRENCE R. COHAN, ESQUIRE  
THOMAS R. ANAPOL, ESQUIRE  
MIRIAM B. BARISH, ESQUIRE  
HEATHER J. LIPSON, ESQUIRE  
MARGARET A. BARRY, ESQUIRE

ALEXANDER JOHNSON  
EXHIBIT I  
(PLAINTIFF-WORKER'S WORK HISTORY)

Commencement Date	Cessation Date	Employer Location	Social Security Number	Job Description	Asbestos Manufacturers Products
1943	1944	Sun Ship Co. Chester, PA	182-20-7807	Boilermaker's Helper	See detailed description in Plaintiff's Master Long Form Complaint
1944	1945	General Steel Eddystone, PA	" "	Laborer	" "
1947	1947	Phila. Gas Works	" "	Laborer/ Construction Worker/ Helped pipe fitters	" "
1956	1986	Allied Chemical Claymont, DE	" "	Laborer/ Shipper/ Truck Driver/ Equipment Operator/ Helped pipe fitters	" "

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF

ALEXANDER JOHNSON, being duly sworn according to law, deposes and says that the facts set forth in the foregoing COMPLAINT are true and correct to the best of his knowledge, information and belief.

BY: X Alexander Johnson  
ALEXANDER JOHNSON

SWORN TO AND SUBSCRIBED

BEFORE ME THIS 8 DAY

OF March, 2002

Robert E. Yandziak

My Commission Expires: \_\_\_\_\_

